

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:12-MJ-1966-JG-1

SEARCH WARRANT FOR THE PERSON )  
OF JOHN F. GILL AND THE PREMISES )  
LOCATED AT 28 WEST SIDE DRIVE, )  
CAMERON, NORTH CAROLINA )

**ORDER**

This case is before the court on the motion (D.E. 6) by John F. Gill for return of the Apple iPhone (“the telephone”) seized by the government pursuant to the modified search warrant (D.E. 4) issued in this matter. To facilitate the court’s resolution of the motion, the government shall file by 27 January 2014 a memorandum addressing the following issues:

1. Whether the classified information allegedly stored on the telephone can be removed from it. *See, e.g.,* Army Regulation 380-5 § 3-18.
2. If the classified information can be removed from the telephone, what is the government’s justification for not doing so.
3. If the classified information is removed from the telephone, whether the telephone is then returnable to Gill and, if not, why not.
4. Any issues relating to the above the government deems appropriate.

Gill may file a response to the government’s memorandum by 10 February 2014.

SO ORDERED, this the 15th day of January 2014.

  
James E. Gates  
United States Magistrate Judge